

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE 1199 SEIU NATIONAL  
BENEFIT FUND FOR HOME CARE EMPLOYEES,

Plaintiff,

JUDGMENT

07-CV-0523 (JS)(ARL)

-against-

ROGER RODRIGUEZ, Administrator of  
the Estate of Maria Lopez, and  
ANDREW ROSNER, Esq.,

Defendants.

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APPEARANCES:

For Plaintiff: Suzanne Alissa Metzger, Esq.  
1199 SEIU National Benefit Fund  
330 West 42nd Street  
New York, NY 10036

For Defendants: Andrew Rosner, Esq.  
600 Old Country Road, Suite 307  
Garden City, NY 11530

SEYBERT, District Judge:

Magistrate Judge Arlene R. Lindsay issued a Report and Recommendation ("R&R") on April 28, 2009. As part of the R&R, Judge Lindsay warned that any objections were to be filed with the Clerk of the Court within ten days of service of the R&R. The time for filing objections has expired, and no party has objected. Accordingly, all objections are hereby deemed to have been waived.

Upon careful review and consideration, the Court ADOPTS the R&R in its entirety. Accordingly, the Clerk of the Court is directed to enter a judgment of default in Plaintiff's favor against Defendants. Pursuant to Rule 72 of the Federal Rules of Civil Procedure, the Court hereby refers this matter to Judge Lindsay to issue a report and recommendation to determine the

appropriate amount of damages, costs and/or fees, if any, to be awarded.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: July 31, 2009  
Central Islip, New York